

REMARKS

The present application was filed on June 26, 2003 with claims 1-17. Claims 1-17 remain pending on the application. Claims 1 and 10 are the independent claims.

Claims 1-4, 6, 7, 9-12 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0003576 (hereinafter "Konishi").

Claims 8 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Konishi.

Claims 5 and 13-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Konishi in view of U.S. Patent No. 6,018,362 (hereinafter "Suzuki").

In this response, Applicants amend the specification and claim 14 to correct typographical errors. Further, Applicants amend independent claims 1 and 10 in a manner that is believed to overcome the rejections. Applicants respectfully request reconsideration of the present application in view of the above amendments and the remarks below.

Applicants have amended independent claim 1 to clarify that the compressed first and subsequent image frames are respective first and subsequent image frames of a compressed version of the motion image sequence. Thus, upon selection of the motion video image file for playback, the compressed first and subsequent image frames are decompressed and utilized to provide playback of the respective first and subsequent frames of the motion image sequence. This makes it clear that in the claimed arrangement, the compressed first image frame is not only used to provide a still image representative of the motion video image file, but is part of the compressed version of the motion image sequence itself. Support for the amendment can be seen in the illustrative embodiment comprising file 510 of FIG. 4, and in steps 144 and 146 of FIG. 3B. See the specification at, for example, page 12, lines 10-16.

The arrangement set forth in claim 1 is distinct from the arrangement described in FIGS. 23 to 27 of Konishi, wherein the DCF file is used only for index purposes, and is not itself part of the compressed version of the motion image sequence that is generated by MPEG4 encoder 201 in FIG. 23. This is apparent from the flow

diagram of FIG. 27, and the corresponding text in paragraph [0132] of Konishi, which states as follows, with emphasis supplied:

If video shooting/recording starts, the control section 119 saves the video signal of the first frame in the frame memory 701 (step S131). The control section 119 uses the MPEG4 encoder 201 to sequentially execute compression encoding of input motion video signals from the first frame until video shooting/recording ends (steps S132 and S133). If video shooting/recording ends (YES in step S133), the control section 119 compression-encodes the frame images saved in the frame memory 701, and generates still index images (step S134).

Thus, the MPEG4 encoder 201 of Konishi operates on the first frame as well as subsequent frames of a motion image sequence, and the resulting compressed version of the motion image sequence will include a compressed first image frame. However, that compressed first image frame will apparently be compressed at the same rate as the subsequent image frames of the motion image sequence, which is contrary to the recitations of claim 1. The DCF frame relied upon by the Examiner in formulating the §102(b) and §103(a) rejections is used for index purposes in Konishi, but it is not part of the actual compressed motion image sequence. In Konishi, it is the video file in FIG. 24 that is played back, and the index file is not part of the playback of motion video, but is used only for index purposes. See paragraph [0128] of Konishi, which refers to the video file of FIG. 24 as “a motion video file including a video and speech.” Accordingly, Konishi fails to meet the limitations of claim 1 as amended. The Suzuki reference fails to supplement the deficiencies of Konishi as applied to claim 1, and the rejection of claim 1 should therefore be withdrawn.

Independent claim 10 has also been amended, and is believed allowable for reasons similar to those provided above in the context of claim 1.

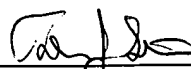
Dependent claims 2-9 and 11-17 are believed allowable for at least the reasons identified above with regard to their respective independent claims.

If there are any formal matters remaining after this response, Applicants' attorney would appreciate a telephone call to attend to these matters.

In view of the foregoing, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Deposit Account No. 05-0225.

Respectfully submitted,



Thomas J. Strouse
Attorney for Applicant(s)
Registration No. 53,950

TJS:pw
Telephone: (585) 588-2728
Facsimile: (585) 477-4646